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18 Solar Trust of America, LLC, Solar Millennium, Inc.,
19 CA I-10 Solar, LLC, Palo Verde Solar I, LLC,
20 Palo Verde Solar II, LLC, Blythe Solar Power Project
21 Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,
22 Blythe Solar Power Project Unit 3, LLC and
23 Blythe Solar Power Project Unit 4, LLC*

14 UNITED STATES DISTRICT COURT
15
16 NORTHERN DISTRICT OF CALIFORNIA
17
18 SAN FRANCISCO DIVISION

19 MMR GROUP, INC.,
20 MMR POWER SOLUTIONS, LLC and
21 SOUTHWESTERN POWER GROUP II, LLC,
22 Plaintiffs,

23 vs.

24 STA DEVELOPMENT, LLC (F/K/A SOLAR
25 MILLENNIUM, LLC), SOLAR TRUST OF
26 AMERICA, LLC, SOLAR MILLENNIUM AG,
27 SOLAR MILLENNIUM, INC., CA I-10 SOLAR, LLC,
28 PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR
II, LLC, BLYTHE SOLAR POWER PROJECT UNIT 1,
LLC, BLYTHE SOLAR POWER PROJECT UNIT 2,
LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC
AND BLYTHE SOLAR POWER PROJECT UNIT 4, LLC
Defendants.

Case No. 3:11-cv-01521-EMC

**JOINT STIPULATION TO
STAY ACTION**

**The Honorable Judge
Edward M. Chen**

1 Plaintiffs MMR GROUP, INC., MMR POWER SOLUTIONS, LLC and
2 SOUTHWESTERN POWER GROUP II, LLC (collectively, “MMR”) and Defendants STA
3 DEVELOPMENT, LLC, SOLAR TRUST OF AMERICA, LLC, SOLAR MILLENNIUM, INC.,
4 CA I-10 SOLAR, LLC, PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR II, LLC,
5 BLYTHE SOLAR POWER PROJECT UNIT 1, LLC, BLYTHE SOLAR POWER PROJECT
6 UNIT 2, LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC AND BLYTHE SOLAR
7 POWER PROJECT UNIT 4, LLC (collectively, the “STAD Defendants”) submit the following:

8 **WHEREAS**, MMR and the STAD Defendants have executed an Agreement and Release
9 (the “Settlement Agreement”) to settle and compromise all claims and disputes between them,
10 including those currently asserted in the above-captioned action (the “Litigation”) subject to, *inter*
11 *alia*, payment and clearance of a settlement payment (“Settlement Payment”);
12

13 **WHEREAS**, MMR and the STAD Defendants agree, pursuant to the Settlement
14 Agreement, that the Litigation should be stayed pending payment and clearance of the Settlement
15 Payment and execution of an ancillary agreement, after which the parties intend to file a joint
16 stipulation to dismiss the Litigation with prejudice (the “Joint Stipulation to Dismiss”); and
17

18 **WHEREAS**, pursuant to the Settlement Agreement, if a party defaults under the
19 Settlement Agreement the non-defaulting party may seek relief from the Stay;
20

21 **IT IS HEREBY STIPULATED AND AGREED**, subject to the Court’s approval, that
22 the Litigation be stayed until (i) the Joint Stipulation to Dismiss is filed with the Court or (ii) a
23 non-defaulting party seeks relief from the Stay because of a default of the other party under the
24 Settlement Agreement.
25
26
27
28

1 Dated: March 12, 2012

MILBANK, TWEED, HADLEY & McCLOY LLP

2 By: /s/ Aaron Renenger

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19 Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,
20 Blythe Solar Power Project Unit 3, LLC and Blythe Solar
21 Power Project Unit 4, LLC

22 Dated: March 12, 2012

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Attorneys for Plaintiffs MMR Group, Inc., MMR Power
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT JUDGE